

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

- 1) BRENNAN COLE,
- 2) RACHEL COLE,
- 3) AUSTIN HODGE, and
- 4) HANNAH HODGE,

Plaintiffs,

vs.

- 1) AMC WEST HOUSING, LP, a foreign limited partnership;
- 2) BALFOUR BEATTY COMMUNITIES, a foreign limited liability company;
- 3) STEAMMART LLC, an Oklahoma limited liability company;
- 4) GREGG PETERSON CONSTRUCTION GROUP LLC, an Oklahoma limited liability company;
- 5) RICK CUNEFARE; and
- 6) CC-1-CC-10 UNIDICTED CO-CONSPIRATORS IN USA v. RICK CUNEFARE 21-CR-319-EGS,

Defendants.

Case No.: CIV-2022-044-R

(District Court of Oklahoma County,  
Case No. CJ-2021-3723)

**JOINT APPLICATION FOR EXTENSION  
OF REMAINING DEADLINES AND NEW TRIAL DATE**

The parties jointly apply to the Court for the trial date to be moved from the May 2023 docket to the August 2023 docket and that the remaining deadlines also be moved accordingly [which would be approximately ninety (90) days]. In further support, the parties state:

1. The Court has issued only one Scheduling Order in this case (Doc. 38), on May 5, 2022, setting a trial date of May 2023, and there has been no prior request for an extension of any of the deadlines imposed.

2. The parties have some remaining discovery to complete and are looking to schedule a mediation around May 2023.

3. To accommodate the remaining discovery and mediation, the parties request that the trial date be moved from the May 2023 to the August 2023 docket.

4. The parties also request that the remaining deadlines be extended accordingly, approximately ninety (90) days.<sup>1</sup>

5. The deadlines that remain and that the parties are requesting to be extended are as follows:

<u>Deadline</u>	<u>Current</u>	<u>Proposed Extension</u>
Discovery to be completed	04-03-2023	07-03-2023
Designations of deposition testimony to be used at trial	04-21-2023	07-20-2023
Objections and counter-Designations	04-28-2023	07-27-2023
Motions in limine	04-25-2023	07-24-2023
Requested voir dire	04-25-2023	07-24-2023
Trial briefs (optional unless otherwise ordered)	n/a	
Requested jury instructions	04-25-2023	07-24-2023

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<sup>1</sup> The parties are not requesting that the deadlines that have passed be extended.

<u>Deadline</u>	<u>Current</u>	<u>Proposed Extension</u>
Proposed final pretrial report	04-25-2023	07-24-2023
Trial docket	05-00-2023	08-00-2023

WHEREFORE, the parties respectfully request the Court extend the trial setting from May 2023 to August 2023 and extend the remaining deadlines approximately ninety (90) days as set forth above.

Respectfully submitted,

/s/ Caleb Salmon

Caleb Salmon, OBA #32272

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**ATTORNEYS FOR DEFENDANTS AMC  
WEST HOUSING, LP AND BALFOUR  
BEATTY COMMUNITIES**

**CERTIFICATE OF SERVICE**

This is to certify that on the 14th day of March 2023, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing was sent to the following ECF registrants:

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s/ W. Brett Willis  
W. Brett Willis